IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

MISC. CIVIL APPLICATION NO.409 OF 2007
IN
WRIT PETITION NO.4003 OF 2007.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. N.K.Dwivedi, Advocate for Applicant/ Petitioner.

CORAM : A.H.JOSHI AND
R.C.CHAVAN, JJ.

DATED : APRIL 18, 2007.

1. This Court while passing order in Writ Petition No. 4003 of 2006 observed as follows :

> *"4/ Even if there is grant of one more mark towards question no.63 due to said error of sequence, this allotment of mark does not alter the result as addition would be at the most only of two marks, while petitioner needs three for passing".*(emphasis supplied)

2. According to the petitioner the reference to three marks in underlined portion is factually incorrect. We find that petitioner's say is correct. Petitioner's further belief that

alteration of word “Three” to “two” would change his fate is not factually correct, since this arrangement is based on petitioner's assumption that he would have secured two marks due to erroneous options in suggested answer to question No. 63 is erroneous and petitioner was not entitled to increase of marks. This Court has categorically observed that option given in suggested answer of question No.63 is not erroneous.

3. No interference is called for. The Review Application is rejected.

JUDGE. **JUDGE.**

RR.